

## CLAIMS

1. A DNA construct, wherein a mammalian  $\beta$ -actin promoter is operably linked to an enhancer.
- 5 2. The DNA construct of claim 1, wherein the enhancer is Cytomegalovirus (CMV).
3. The DNA construct of claim 1, wherein the enhancer is Woodchuck Hepatitis Virus Posttranscriptional Regulatory Element (WPRE).
- 10 4. The DNA construct of any one of claims 1 to 3, wherein the mammalian  $\beta$ -actin promoter is a rodent  $\beta$ -actin promoter.
5. The DNA construct of claim 2, wherein the CMV enhancer comprises the nucleotide  
15 sequence shown in SEQ ID NO: 4 and the mammalian  $\beta$ -actin promoter comprises the nucleotide sequence shown in SEQ ID NO: 2.
6. The DNA construct of claim 3, wherein the Woodchuck Hepatitis Virus Posttranscriptional Regulatory Element (WPRE) comprises the nucleotide sequence shown in  
20 SEQ ID NO: 3 and the mammalian  $\beta$ -actin promoter comprises the nucleotide sequence shown in SEQ ID NO: 2.
7. A vector comprising the DNA construct of any one of claims 1 to 6.
- 25 8. The vector of claim 7, comprising a DNA having a desired DNA operably linked downstream of the mammalian  $\beta$ -actin promoter.
9. The vector of claim 7 or 8, comprising and capable of expressing a DNA encoding a transactivator.
- 30 10. The vector of claim 9, wherein the transactivator is an oncogene product.
11. The vector of claim 10, wherein the oncogene product is Ras.
- 35 12. The vector of any one of claims 8 to 11, wherein the desired DNA encodes a desired protein.

13. A cell comprising the vector of any one of claims 8 to 12.
14. A cell comprising the vector of any one of claims 8 to 12, wherein the oncogene is  
5 activated.
15. The cell of claim 14, into which the vector comprising the gene encoding the transactivator is introduced.
- 10 16. The cell of claim 14, which is a transformed cell.
17. The cell of any one of claims 13 to 16, which is a mammalian cell.
18. The cell of claim 17, which is a rodent cell.
- 15 19. The cell of any one of claims 13 to 18, which is derived from the same animal order as that from which the  $\beta$ -actin promoter is derived.
- 20 20. The cell of claim 19, which is derived from the same animal species as that from which the  $\beta$ -actin promoter is derived.
21. A non-human transgenic animal into which the vector according to any one of claims 8 to 12 has been introduced.
- 25 22. A totipotent cell into which the vector of any one of claims 8 to 12 is introduced.
23. A method for producing a desired protein, which comprises culturing a cell comprising the vector of claim 12; and harvesting the expressed protein from the cultured cell or medium.
- 30 24. The method of claim 23, which comprises adding a transactivator to the medium.
25. A method for expressing a desired DNA in a host cell, which comprises introducing the vector of any one of claims 8 to 12 into the host cell derived from the same animal order as that from which the  $\beta$ -actin promoter in the vector is derived.
- 35 26. A method for expressing a desired DNA in a host cell, which comprises introducing the

vector of any one of claims 8 to 12 into a host cell derived from the same animal species as that from which the  $\beta$ -actin promoter in the vector is derived.

- 5 27. A method for expressing a desired DNA in a host cell, which comprises introducing the vector of claim 8 and a vector comprising and capable of expressing a DNA encoding a transactivator into a host cell which is derived from the same species as that from which the  $\beta$ -actin promoter in the vector of claim 8 is derived.
- 10 28. The method of any one of claims 25 to 27, wherein the host cell is a mammalian cell.
29. The method of any one of claims 25 to 27, wherein the host cell is a rodent cell.
- 15 30. A method for increasing the expression level of a desired DNA, which comprises inserting upstream of the desired DNA a  $\beta$ -actin promoter derived from the same animal order as that from the host cell is derived.
- 20 31. A method for increasing the expression level of a desired DNA, which comprises inserting upstream of the desired DNA a  $\beta$ -actin promoter derived from the same animal species as that from the host cell is derived.
32. The method of claim 30 or 31, which further comprises inserting an enhancer.
- 25 33. The method of claim 32, wherein the enhancer is Woodchuck Hepatitis Virus Posttranscriptional Regulatory Element (WPRE).
34. The method of claim 32, wherein the enhancer is a CMV enhancer.
- 30 35. The method of any one of claims 30 to 34, which comprises inserting a gene encoding a transactivator gene.
36. The method of any one of claims 30 to 35, wherein the host cell is a mammalian cell.
37. The method of any one of claims 30 to 35, wherein the host cell is a rodent cell.